

JANUARY 11, 2005 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, January 11, 2005 at 4:00 p.m. in the South Walton Courthouse Annex.

The following Board members were present: Commissioner Larry Jones, Commissioner Cindy Meadows, Chairman Kenneth Pridgen, Commissioner Rosier Cuchens, and Commissioner Scott Brannon. Mr. Ronnie Bell, County Administrator, Mr. Gary Vorbeck, Director of Legal Services, and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Jones led with prayer followed by the pledge of allegiance to the American Flag. Chairman Pridgen called the meeting to order.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the consent agenda consisting of the following items. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Consent Agenda

1. EAL Approval	
General Fund	\$ 1,639,501.34
County Transportation	\$ 685,520.00
SHIP	\$ 7,520.00
Fine & Forfeiture	\$ 882,486.00
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 112,500.76
Tourist Dev. Council	\$ 200,277.52
N.W. Mosquito Control	\$ 3,238.81
W. Co. Library	\$ 15,596.04
Recreation Plat Fee	\$ 560.00
Public Safety- 911	\$ 33,001.63

Solid Waste Enterprise	\$ 1,148,487.48
Mossy Head VFD	\$ 4,530.15
Glendale VFD	\$ 1,995.71
Darlington VFD	\$ 877.49
Red Bay VFD	\$ 27,462.75
Local Option Gas Tax	\$ -
Special Law Enf. Trust	\$ -
Driftwood Debt Service	\$ 3,377.05
Criminal Justice Ed Fund	\$ -
Bldg Dept/Enterp. Fund	\$ 36,559.30
Capital Projects Fund	\$ 224,088.86
Imperial Lakes MSBU	\$ 155.54
Totals	\$ 5,027,736.43

2. Approve Minutes of December 07, 2004 – Land Use Hearing
3. Workfare Contract
4. Records Disposition Request
5. Surplus Equipment
6. Adopt a Resolution to Accept Grant Revenues for the Mossy Head/Oakwood Hills Volunteer Fire Department (Resolution 2005-01)
7. Adopt a Resolution Proclaiming January 23-29, 2005 as Hazardous Materials Awareness Week (Resolution 2005-02)

The Division Activity Updates were presented for review.

Chairman Pridgen called the public hearing to order to consider a budget amendment for the Collinsworth Road and Hammock Point projects. There were no public comments voiced.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to adopt a resolution (2005-03) approving the budget amendment in the amount of \$2,251,820.00. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Jones, second by Commissioner Brannon, to adopt a resolution (2005-04) amending the budget in the amount of \$382,902.00 for unanticipated revenues from the SHIP Housing Fund. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Imfeld advised that a grant in the amount of \$36,000.00 for the Alaqua Park has been approved and the county would be receiving the monies soon.

Chairman Pridgen called to order the advertised public hearing to consider the Church Street Village final plat. South Pointe Developers is proposing a 210 lot single-family residential subdivision located on the east side of Church Street. There is a letter of credit on file and all pertinent parties have signed off on the plat. Staff recommended approval. There were no public comments voiced.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to accept staff's recommendation and approve Church Street Village final plat for recording. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Russ Barry, Public Works Director, advised that the guard rail parts are inventory for many projects and will be expensed as they are used.

Mr. Barry presented a request for acceptance of a traffic signal at Lake Forest Drive and CR 395 for maintenance. He advised that St. Joe constructed the signal and they are now requesting that the county take the light over for maintenance. He recommended approval.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to accept the traffic signal, located at Lake Forest Drive and CR 395, for maintenance. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Jeanie Alexander, P.E., HDR Engineering, Inc., appeared before the board with an update on the CR 283/US 98 and CR 395/US 98 signal design projects. She spoke about redesign and stated that they have submitted a set of plans for 60% completion of the project. The geotechnical services are complete and utility work has

been coordinated. March is the estimated time for completion. Mr. Barry stated that completion of the construction will depend on the time of delivery for the mast arms.

Mr. Dewey Wilson, Florida Community Services/Regional Utilities, stated that he appeared before the board in June requesting to surplus property. They are now ready to develop a large perk pond north of Highway 20 to fulfill all of the current capacity needs and the future needs. Mr. Wilson advised that they have surplused 80 acres located on Highway 98. He displayed a map of the land and that portion they are going to retain. They received the following four (4) bids on the property: Emerald Coast Development-\$7,251,000.00; Lloyd Blue-\$10,129,997.00; St. Joe Company-\$8 million, and Isle of View Realty-\$9 million. He stated that his board voted to proceed with awarding the bid.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve award of the bid for the surplus property to Lloyd Blue in the amount of \$10,129,997.00. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Dewey Wilson stated that they purchased 2,100 acres off of J.W. Hollington Road. The distance to pave the road is approximately 8,000 feet. He stated that they are willing to provide the affordable housing for the county. The area would allow for approximately 1200 homes at \$35,000.00 for each lot. He stated that they would work with the county in developing guidelines. The commissioners highly recommended moving forward with this concept. Mr. Wilson stated that he would work with the county's Planning Department as well as Legal Services. The Board concurred for Mr. Vorbeck to work with Planning and Mr. Wilson to move forward with the process. The commissioners thanked Mr. Wilson.

Mr. Herman Chrishon, scheduled on the agenda, was not present.

Ms. Anne Gau, General Manager of Nextel, appeared before the Board to introduce their Disaster Response Plan. Ms. Gau stated that Nextel has generators and other equipment that the county could utilize during the time of an emergency. They want to provide a service to the community. She spoke about the services they provided to the communities during the last hurricane such as preparing and serving thousands of meals. They also donated many generators to the community.

Mr. Jim Anders, American Towers, appeared before the commissioners requesting clarification on deed restrictions on property owned by the Florida Tribe of Eastern Creek Indians. Mr. Vorbeck read the proposed vacation of restriction and stated that American Tower is asking for permission to place a tower on this site. Mr. Anders stated that the Tribe feels this would provide a service to the community. Planning for the tower site will go through the planning department. Attorney Vorbeck stated that if the Board agrees then they will provide a letter stating that the Board does not feel it to be in violation of the restriction to construct a cell tower at that site. Approval would also be at the discretion of the Tribe. Mr. Anders will provide a copy of the lease agreement. Commissioner Brannon stated that he agrees as long as it does not interfere with any of their burial grounds. Mr. Anders presented a copy of the lease agreement with the price of \$12,000.00 per year for a five (5) year term, and an increase of 15% each 5 year period. Commissioner Meadows requested that a letter be presented by the Florida Tribe of Eastern Creek Indians showing their approval.

Motion by Commissioner Jones, second by Commissioner Brannon, to allow the tribe to make the decision and the county support that decision. Ayes 5, Nays 0. Jones

Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye. The county will express their approval by letter.

Captain Danny Glidewell, Walton County Sheriff's Department, appeared before the board regarding the jail construction. He stated that there are several issues of concern and asked for assistance. One issue is the impediment from ongoing construction. He stated that the citizens are liable for the inmates and due to overcrowding there is inadequate bedding. Another issue is the ratio of bathrooms to the number of inmates. He stated that the plumbing is in need of immediate repair. There will not be any recreation space due to the construction of new pods in the recreation field. He further explained that the settling of the building from the construction is causing walls to crack. There is a problem with parking and the loading dock needs to be removed. He also stated that the duct work is in need of replacement. Mr. Glidewell also explained that there is inadequate office space in the administration offices. The South Walton Sheriff's Substation is also lacking in adequate space. He stated that the proposed plan is to put administration on the second floor. However, upon completion of the new construction the building will be filled to capacity when they move in. He estimated that within three years that the new jail pods will be filled to capacity. He advised that there is no booking space located in the new pods and no location space to store equipment. There are also no provisions for a laundry room while the old jail is being renovated. There are issues with the impound yard that need repaired such as the fuel system and the gate system. He suggested using the Lang property for a helipad by placing a structure there rated for high winds. He presented four alternatives regarding the overcrowding and the construction issues.

Mr. Bell stated that they reviewed several alternatives to relocate inmates to other facilities in the area. He reviewed the alternatives presented in a handout. Mr. Glidewell explained that 90% of the current inmates are felons. Only minimum security inmates can be located in the tents, which he estimated that to be only 40 inmates. He also commented on the problem of heating the tents.

Mr. Bell further explained the option to modify the old Wal-Mart Building at a cost of \$3,258,000.00 with an additional \$150,000 if the roof has to be replaced. Option D would be to place fiberglass buildings on leased property from ARC. Another option would be to move the proposed pod to the old Wal-Mart Building along with utilizing the old Wal-Mart Building which would allow sufficient space for visitation, laundry, kitchen, parking and space for personnel. Discussion followed regarding the contract with Peter Brown Construction.

Commissioner Cuchens explained that the proposal would be to move the proposed pod and relocate it to another location such as the old Wal-Mart Building. This would remove liability of the construction at the current location. The old Wal-Mart would be renovated for laundry, booking, kitchen, visitation, female space, and office space. Commissioner Meadows stated that the current construction would be revisited. She also asked how the Wal-Mart Building would interface with the community. Commissioner Cuchens stated that the 4 story pod could be placed in the back of the building and the front of the building could be refaced depending upon the feasibility. Commissioner Cuchens commented that the purchase price is \$1,750,000.00. He felt that is fair. Mr. Bell explained that Santa Rosa County has done the same thing in the past and refaced the front for better visibility. Commissioner Brannon asked about the time frame

for remodeling. Mr. Bell explained that it would take about 9 months, but must meet certain codes.

Mr. J. B. Hillard representing the Greater DeFuniak Springs Association appeared before the board. He commented on the past request of obtaining an impact study on the DeFuniak Springs area. He stated that one alternative was not presented, which was to build north of town on property already owned by the county. He requested to hear more about alternative 5. He felt that there would be a lot of opposition from the community if the jail were still to be built at its present location. He also stated that it should be moved out of town. Commissioner Cuchens stated that it is not their intentions of building the entire 1200 pods at that old Wal-Mart location. He asked that the commissioners revisit the original recommendation of building the work camp out of town and the other options presented. Commissioner Cuchens stated that one reason in considering the old Wal-Mart is to provide a more quick response to the need.

Ms. Bonnie McQuiston, President of the Walton County Tax Payer Association, reminded the commissioners that they previously presented a report recommending that the jail be moved north of town.

Commissioner Brannon questioned what the \$14 million project includes. Mr. Bell advised that it is one pod and renovation of the existing jail and the records center.

Commissioner Meadows stated that the downtown area is not appropriate for the jail location. She also commented on the overcrowding of the jail and the need to move it north of town. She was in opposition to using the old Wal-Mart as a permanent solution. Commissioner Cuchens stated that the county could buy it, use it as temporary space for the inmates, and then turn it into a youth facility of some type.

Commissioner Brannon felt that the jail does not belong in the downtown area. He felt that the legal implications of the contract need to be reviewed as well as other options the county has. He felt that the old Wal-Mart could be used by the county as a temporary space for the jail, but could then be turned into a different type of facility. He spoke about both the jail and the courthouse being filled to capacity.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to proceed with the purchase of the old Wal-Mart Building, hold discussion whether to use it to alleviate the overcrowding of the jail, and discuss the future use of the building. Commissioner Pridgen recommended appointing a liaison between the sheriff and the commissioners. Commissioner Brannon agreed to serve in that capacity.

Chairman Pridgen called for a vote on the motion to proceed with the purchase of the old Wal-Mart Building. Ayes 4, Nays 1. Jones Naye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to suspend all construction activities on the jail for a period of two weeks to allow time for discussion to consider moving the jail north of the town. Ayes 4, Nays 1. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to appoint Commissioner Brannon as the liaison between the board and the Sheriff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to invite a representative from the City of DeFuniak Springs to participate in the discussion

because of the impact on the city. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Meadows recommended not placing the pod at the old Wal-Mart Building in order to keep it a temporary fix.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to move forward with obtaining an appraisal on the old Wal-Mart Building. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Brannon asked if there are provisions in the contract with Peter Brown Construction that they will not be held liable for time constraints in the event they were to go over.

The commissioners recessed briefly.

Chairman Pridgen called the meeting back to order.

The commissioners will hold a meeting on January 25, 2005 at 1:00 p.m. to discuss the outcome of the meeting with the sheriff.

Attorney Vorbeck did not present any items for discussion.

Commissioner Meadows addressed the issue regarding the governmental liaison. Commissioner Brannon spoke about utilizing the liaison to communicate with the cities, school board, and others as needed. The purpose is to provide formal discussion between the various entities. He stated that he and Mr. Bell will be attending the meetings of each entity asking them to appoint a representative to discuss common issues. Commissioner Jones commented that this would open up communication between the county and the various entities. He also commented that as the county grows that the communication would be more beneficial. It could possibly open the door for coordinated grant funding.

Commissioner Meadows advised that she spoke with code enforcement and stated that D5 has 70% of the code enforcement calls. She stated that she would like to add clarity to some of the Land Development Code language for violations that happen on a recurring basis. One issue is vegetative community preservation. She presented proposed language to LDC 4.06.02. She spoke about protection of the area and she proposed for fines to be implemented in the event a violation of the vegetative buffer occurs. This issue will have to be presented to the planning department, planning board, and would also have to be advertised to be changed.

Mr. Richard Fowlkes agreed, but commented on vegetative preservation and how the different types of vegetative communities require different types of protection. He stated that there is language in the code that speaks to the requirements, but there is no one on staff who can identify them. The commissioners advised that they have now hired an Environmental Planner. Commissioner Brannon stated that this issue has been addressed by Commissioner Meadows' proposal to fence the area.

Ms. Anita Paige stated that there is one vegetative buffer that is not included in the issue. She stated that there is a 20 foot vegetative buffer set back on scenic corridor 30A that cannot be cleared. That policy is L.1.9.3 of the comprehensive plan. She would also like to see the 20 feet native vegetative buffer requirement required along 30A. Mr. Lane pointed out that this was modified in the previous submittal.

Bob Dobes spoke about signage and landscaping and the provision for replacement of landscaping.

Mr. Bill Bard asked if this issue includes only native vegetation along CR 30A. Commissioner Meadows stated that it pertains to vegetative communities that have to be

maintained onsite. She stated that it would apply to any property that has been designated with a vegetative community.

Mr. Bell presented a letter from the Grayton Beach Neighborhood Association requesting to block Lydia Avenue on April 29th for a community event.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the request by the Grayton Beach Neighborhood Association. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented possible dates for a strategic meeting to be held on either January 24th or 27th.

Mr. Bell requested the Board appoint a commissioner on the Beach Safety Committee.

Motion by Commissioner Jones, second by Commissioner Cuchens, to appoint Commissioner Meadows to serve on the Beach Safety Committee. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented a request from the South Walton Little League to place temporary signs on the right of way for their registration event.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the request by the South Walton Little League. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell requested approval for Kevin Hargett, Code Enforcement Coordinator, to be placed on the Mossy Head Enterprise Agency to replace Ken Wilde.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the appointment of Kevin Hargett to the Mossy Head Enterprise Agency. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Cuchens advised that the D & D Pet Motel has recently been purchased by new owners. He asked that staff meet with the new owner to discuss the possibility of a lease in order to bring our animal control back to Walton County. He recommended this as a temporary solution until the new facility can be constructed. Mr. Bell will contact the new owner to discuss his interest. Commissioner Meadows requested information regarding the number of animals being taken to Chipley along with other pertinent information. Mr. Bell explained that there is no time frame for the facility to be constructed.

Ms. Linda Morse stated that the D & D Pet Motel was previously considered, but it was declared not adequate and suggested to allow the animals to stay in Chipley since they are being taken care of.

Commissioner Pridgen instructed staff to consider setting some public hearings to address the following issues: Hearing Officers, Turtle Lighting Ordinance, and the Height Limitation Ordinance. Mr. Vorbeck stated that he would like to discuss these issues with the new personnel in the planning department. The commissioners agreed for Mr. Vorbeck and Mr. Bell to work with staff.

Commissioner Brannon commented on the Height Limitation Ordinance. He felt that guidelines are needed north of bay and therefore, discussion needs to move as quickly as possible to be proactive not reactive.

Commissioner Cuchens asked if there is a need for a moratorium on construction height since there is currently no ordinance for those areas north of the bay. Mr. Vorbeck spoke about the density limitations that would put some limits on a project. Commissioner Jones suggested advertising to amend the current ordinance to include the areas north of the bay. It will need to be placed in the LDC and the Comprehensive Plan. Planning Staff will address this issue.

Chairman Pridgen opened the floor for public comments.

Richard Fowlkes spoke about the height limitations as currently defined. He spoke about the natural elevation, which he feels is allowing projects to be built higher than should be allowed.

Mr. Bob Dobes commented on the sense of urgency to move quickly on this issue.

There being no further business, the meeting was adjourned at 6:40 p.m.

APPROVED: _____
Kenneth Pridgen, Chair

ATTEST: _____
Martha Ingle, Clerk of Court